

Attendees of Water Advisory Committee Negotiation Meeting
For February 23, 2004

Attendees: Virginia Porter, City of Santa Rosa
Mike Martini, City of Santa Rosa
Toni Bertolero, City of Cotati
Janet Orchard, City of Cotati
Ron Theisen, Marin Municipal Water District
Steve Phelps, Marin Municipal Water District
John Mandell, Marin Municipal Water District
Al Bandur, City of Sonoma
Mike Fuson, City of Sonoma
Mike Ban, City of Petaluma
Pam Torliatt, City of Petaluma
Steve Simmons, City of Petaluma
Paul Berlant, Town of Windsor
Matt Mullan, Town of Windsor
Darrin Jenkins, City of Rohnert Park
Lee Harry, Valley of the Moon Water District
Syed Rizvi, North Marin Water District
Chris DeGabrielle, North Marin Water District
Chris Murray, Sonoma County Water Agency
John Nelson, JONWRM

Public Attendees: Brenda Adelman, RRWPC
Bob Anderson, United Wine Growers

A. Public Comment

No public comment at this time.

B. Check In

The negotiators checked in with their names, organizations and time constraints.

C. Recap of Prior Session by JONWRM

John Nelson, Water Resources Management, gave a recap of the previous meeting.

D. Approval of January 26, 2004 Negotiation Meeting Minutes

All Parties approved the minutes from the January 26, 2004 Negotiation Meeting.

E. Discuss/Set MOU Negotiation Process

Virginia Porter, acting chair, opened the discussion on the MOU process. The parties, by consensus, agreed to pursue the MOU Extension negotiation with the below listed technical group. The group was given the task of preparing a draft agreement to bring back to the WAC. It was decided that John Olaf Nelson, Consultant would prepare agenda's and assist with negotiation. Santa Rosa agreed to supply secretarial support (meeting notices/coordination primarily).

Miles Ferris, City of Santa Rosa
Toni Bertolero, City of Cotati
Mike Ban, City of Petaluma
Darrin Jenkins, City of Rohnert Park
Al Bandur, City of Sonoma
Matt Mullan, Town of Windsor
George Roberts, Forestville Water Dist.
Chris DeGabriele, North Marin Water Dist
Ron Theisen, Marin Municipal Water Dist.
Lee Harry, Valley of the Moon Water Dist
Randy Poole, Sonoma County Water Agency

Standby, Support and Other Interested:

Virginia Porter - Santa Rosa, Steve Simmons - Petaluma, Pam Jeane – SCWA,
Tami DeVol – Santa Rosa (secretary), and Bob Brownwood, Calif. Department of
Health Services

The first meeting of the technical work group was set to follow the regular WAC meeting scheduled for March 2, 2004. The first order of business will be to review the elements contained in the MOU.

F. Status of Agency/Individual Contractor Negotiation Meetings

WAC consultant John Nelson reported that the SCWA had held individual meetings thus far with officials representing the Town of Windsor, North Marin Water District and City of Rohnert Park. He passed out a summary showing actions tentatively agreed upon to date as a result of those meetings (Attachment B). He noted the summary was organized into three categories of importance: significant (9 items), moderate (10 items) and minor (11 items). He reviewed the significant items. Comments appearing to have broad support by other parties are summarized as follows:

Russian River Customers, Matt Mullan said he thought the Town of Windsor would support payment of the Watershed Planning and Restoration charge on its direct diversions but was concerned about other Russian River customers. After discussion, the consensus of the parties was that the Agency use every available leverage to get Russian River customers to:

1. Sign-on with the CUWCC and agree to implement BMPs for water conservation (Section 2.5).

2. Rely on or perfect their own water rights (Section 3.5).
3. Pay new special charges, such as the Watershed Planning and Restoration charge, on their direct diversions.

As a “for-instance”, with regard to item 3, Chris Murray of SCWA was queried on the Agency’s agreement with the City of Healdsburg. He noted follow-through with the State Water Resources Control Board on changing the points of diversion had not as yet occurred. He was asked that given the fact the Agency has, subsequent to its negotiation with Healdsburg, determined the need for a Watershed Planning and Restoration charge, why it could not now introduce payment of such a charge as a condition of the Agency supporting a change in points of diversion. He said he thought that might be possible and would look into it.

Section 4.14 – Operation and Maintenance Charge – Watershed Planning and Restoration, Pam Torliatt and Lee Harry noted the need for the Agency to better explain the need for additional revenue, specifically: What will the estimated \$2 million/yr over the next three years be spent on? How much money comes from Agency general tax now vs. what is planned in the future? What is the amount of funds that will be supplied from the Russian River Projects fund? What is the justification for recreation expenditures in face of all this? Generally, the parties expressed the need for the Agency to present an overall budget plan of expenditures for ESA and environmental mitigation purposes and planned funding sources for the next three years.

Beyond the next three years, concern over what the potential overall costs the water contractors may be faced with as a result of the Biological Assessment was expressed. Mr. Nelson reported on some discussions he had had with Mr. Poole on this. Pam Torliatt said the Agency should prepare an estimate of these costs. Mike Ban asked that this be placed on the next regular WAC agenda for discussion.

Section 3.5 – Shortage of Water and Apportionment re. Forestville WD, Mike Martini said the issue regarding “Forestville having priority over other water contractors” should be placed in the significant category.

G. Discussion / Negotiation of Significant Variances (January Draft of Restructured Agreement vs. prior agreements reached by parties):

The parties opted to hold off on further negotiations of significant variances as a group at this time given the current round of negotiation meetings being held with individual water contractors.

Next Restructured Agreement Negotiation Session:

Time and Date: 9:00 AM-12:00 PM, March 22, 2004

Place: Santa Rosa’s Laguna Treatment Plant

H. Check Out

I. Public Comment

Brenda Adelman expressed concern over the conservation goals in the proposed new agreement and urged the WAC members to review Pacific Institute's report (Waste Not, Want Not, The Potential for Urban Water Conservation in California) now available on-line. The report features conservation techniques and low cost alternatives for City's to save up to 30%.

In addition, she feels there should be further review of the impact the Biological Assessment's alternative calling for a dramatic decrease of river flows would have on the river during the summer months in particular water quality.

She also stated concern over the lack of interest in the City of Santa Rosa's proposed disposal of 4 1/2 billion gallons of treated tertiary wastewater upstream of the drinking water supply. This will be addressed at the BPU / CC meeting on March 4, 2004.

Lee Harry would like the Sonoma County Water Agency to look into all ramifications of the City of Santa Rosa possibly discharging upstream of the Sonoma County Water Agency's drinking wells. It was requested that Santa Rosa's IRWP be placed on the next regular WAC meeting agenda for discussion and consideration of going on record regarding water quality concerns.

Distribution:

Al Petrie	Armando Flores	Bill Kier
Don McEnhill	Janet Orchard	Jo Timmsen
John King	Mark Solomon	Dave Pinsky
Ross Liscum	Steve Donley	Steve Phelps
Steve Simmons	Tom Yarish	Darin Jenkins
Mike Martini	Jim Daugherty	Steve Shupe
Jane Bender	Toni Bettolero	Carl Leivo
Jake Mackenzie	Pat Gilardi	Terry Stubbings
Chris Sliz	Al Bandur	Rhonda Zunino
Chris DeGabriele	Mike Fuson	George Roberts
Syed Rizvi	Lee Harry	Bill Massey
Ron Theisen	Mike Ban	Miles Ferris
Pam Torliatt	Mark Bramfitt	
Mike Healy	Ron Prushko	
Randy Poole	Matt Mullan	
Pam Jeane	Paul Berlant	
Jack Gibson	John Nelson	
Virginia Porter	Pam Nicolai	